

Exhibit G

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LARA W. SWINDLE,

Plaintiff,

v.

**MIKE HALE, IN HIS
OFFICIAL CAPACITY;
RANDY STONE, IN HIS
INDIVIDUAL CAPACITY; AND
DAVID NEWTON, IN HIS
INDIVIDUAL CAPACITY,**

Defendants.

**CIVIL ACTION NO.:
2:09-cv-01458-SLB**

REPORT OF PARTIES' PLANNING MEETING

1. Appearances:

Pursuant to Fed. R. Civ. P. 26(f), a telephonic meeting of the Parties' representatives was held on June 2, 2010:

- a. Appearing on behalf of the Plaintiff: Ann C. Robertson; Wiggins, Childs, Quinn & Pantazis, LLC.
- b. Appearing on behalf of Defendant, Mike Hale: Jay Murrill; Riley & Jackson, P.C.
- c. Appearing on behalf of Defendants Randy Stone and David Newton: Stephen C. Wallace; Dawson & Wallace, L.L.C.

2. **Synopsis of Case:**

a. Plaintiff: The Plaintiff, Lara W. Swindle, has brought this action against the Defendants, Mike Hale, in his Official Capacity, Randy Stone, in his Individual Capacity, and David Newton, in his Individual Capacity, for declaratory judgment, equitable relief, and money damages, to redress the deprivation of her rights as secured through Title VII of the Act of Congress commonly known as "The Civil Rights Act of 1964," 42 U.S.C. §§ 2000(e) et seq. as amended by "The Civil Rights Act of 1991," 42 U.S.C. § 1981a (hereinafter "Title VII"); 42 U.S.C. § 1981; and 42 U.S.C. § 1983; and Equal Protection Clause of the Fourteenth Amendment, which provide for relief against discrimination, harassment and retaliation in employment on the basis of sex. Specifically, the Plaintiff claims that the Defendant intentionally and maliciously discriminated against the Plaintiff by sexual discrimination, sexual harassment, and retaliation.

b. Defendant Mike Hale: Sheriff Hale denies Plaintiff's allegations, denies that she suffered any adverse employment action, denies that any discriminatory or retaliatory animus played a role in any relevant employment decision, and denies that Plaintiff is entitled to any monetary or equitable relief from Sheriff Hale. Sheriff Hale maintains the defenses asserted in his Answer and any amendments thereto.

c. Defendants Randy Stone and David Newton: The two defendants deny Plaintiff's allegations, deny that they acted inappropriately or subjected the plaintiff to any sexual harassment. They further deny that she suffered any adverse employment action, deny that any discriminatory or retaliatory animus played a role in any relevant employment decision, and deny that Plaintiff is entitled to any monetary or equitable relief. The two defendants maintain the defenses asserted in their Answers and any amendments thereto.

3. **Addition of Parties:**

- a. Plaintiff shall have until July 5, 2010, to join any additional parties without leave of court.
- b. Defendant shall have until August 5, 2010, to join any additional parties without leave of court.

4. **Amendment of Pleadings:**

- a. Plaintiff shall have until July 5, 2010, to amend pleadings, without leave of Court.
- b. Defendant shall have until August 5, 2010, to amend pleadings without leave of Court.

5. **Discovery Limitations and Cutoffs:**

- a. Pre-discovery disclosure: The parties shall exchange the information required by Local Rule 26.1(a)(1) by June 23, 2010.
- b. All discovery must be commenced in time to be completed by April 15, 2011.
- c. Disclosure or discovery of electronically stored information should be handled as follows: The Parties, at this point, do not anticipate the discovery of electronically stored information other than pertinent e-mails, personnel records, and/or electronically stored or transmitted correspondence. The Parties stipulate that with respect to any electronically stored information that is identified or requested during the course of discovery, such documents, to the extent reasonably accessible or otherwise not objectionable, will be produced either as a hard copy on paper, or stored on a CD or DVD in their native format or in .pdf file. Both Parties further agree that they will submit electronically stored information in a form useable by the other party. For instance, if data is stored in specialized software or programs, the party retaining such information agrees to make available to the other parties the necessary software or program to review the data. If this is not reasonably possible, the party retaining such information agrees to convert the information into a format which the other party can use or to reproduce the information into paper form. If no such means are available, the parties agree to allow the opposing party to access the information at a prearranged time and place. The Parties anticipate a need to preserve such electronically stored information as set out above.
- d. Unless modified by written and filed Stipulation of the Parties:
 - i. Depositions:

Maximum of fifteen (15) depositions to be taken by the Plaintiff of all parties and ten (10) depositions to be taken by each Defendant, with a maximum time limit of seven (7) hours per deposition, excluding breaks and lunch.

ii. Interrogatories:

Maximum of thirty (30) interrogatories are to be allowed by each party, with responses due within 30 days after service.

iii. Requests for Admission:

Maximum of thirty (30) requests for admission are to be allowed by each party, with responses due within 30 days after service.

iv. Supplementation:

Supplementation of disclosures under Rule 26(e), Fed. R. Civ. P., is due thirty (30) days before the close of discovery, or as soon as practicable after discovery of the need for supplementation.

6. **Expert Testimony:**

The disclosure of expert witnesses, including a complete report under Fed. R. Civ. P. 26(a)(2)(B) from any specially retained or employed expert, are due:

Initial expert reports are due from the Parties by February 2, 2011; and

Any responsive expert submissions are due by March 2, 2011.

7. **Class Certification Motions:**

Not applicable.

8. **Dispositive Motions:**

All potentially dispositive motions must be filed by May 16, 2011.

9. **Pre-Trial Conference:**

The parties request a pre-trial conference in August 2011.

10. **Trial:**

The parties request this case be set for trial after August 2011. The trial of this case will take approximately three to four (3-4) days.

11. **Final Lists:**

The deadlines for serving and filing lists of trial witnesses and exhibits under Rule 26(a)(3), Fed.R.Civ.P., or any objections thereto, shall be set in accordance with the pretrial order. Final lists of trial witnesses and exhibits under Rule 26(a)(3), Fed.R.Civ.P., must be served and filed:

- a. By the Plaintiff: 30 days prior to the trial date.
- b. By the Defendants: 30 days prior to the trial date.

Objections are to be filed within 14 days after receipt of final lists of trial witnesses and exhibits.

12. **Scheduling Conference:**

The parties do not request a scheduling conference prior to the entry of the Scheduling Order.

13. **Settlement/Mediation:**

The Parties agree that settlement cannot be realistically evaluated prior to at least initial discovery being conducted.

14. Counsel for the defendants has given plaintiff's counsel permission to submit hereon his electronic signature for submission to the Court.

Submitted this 10th day of June, 2010.

ATTORNEY FOR PLAINTIFF:

/s/ Ann C. Robertson
Ann C. Robertson
Susan Donahue
WIGGINS, CHILDS, QUINN & PANTAZIS, LLC
301 19th Street North
Birmingham, Alabama 35203
Telephone: (205) 314-0500

ATTORNEYS FOR DEFENDANTS
RANDY STONE AND DAVID NEWTON:

/s/ Stephen C. Wallace
William Monroe Dawson, Jr.
Stephen C. Wallace
Dawson & Wallace, L.L.C.
2229 Morris Avenue
Birmingham, AL 35203
Telephone: (205) 323-6170

ATTORNEYS FOR DEFENDANT
MIKE HALE:

/s/ Jay Murrill
Robert R. Riley, Jr.
Keith Jackson
Tammy C. Woolley
Jay Murrill
Riley & Jackson, P.C.
1744 Oxmoor Road
Birmingham, AL 35209
Telephone: (205) 879-5000